

City of Mexico Beach Special Meeting Minutes

MONDAY SEPTEMBER 25, 2023 – 11:00 AM

The City of Mexico Beach City Council met in a special meeting on Monday, September 25, 2023, at 11:00 am at the Public Works Building in Mexico Beach. Mayor Miller and the following Councilmembers were present: Richard Wolff, Jerry Smith, and Adrian Welle. Councilmember Linda Hamilton was absent. Also present were Interim City Administrator, Chris Hubbard, City Clerk, Tammy Brunson and Attorney, Clint McCahill.

I. Call to order: Mayor Miller called the meeting to order at 11:00 am. Mrs. Brunson called the roll. Mrs. Hamilton was absent and the Mayor asked if anyone had heard from her. She stated Mrs. Hamilton probably did not know about the meeting and that she in fact had just realized 10 minutes ago that she was listed on the agenda. The Mayor stated she did not think she needed to be present, given what was listed on the agenda. Mr. McCahill stated she did not have to attend, but it is a public meeting. She stated she had not seen this type of issue being handled in a public meeting before. Opened public comment at 11:01 am and then closed the public comment at 11:01 am. Mr. McCahill explained that a lawsuit has been filed against the City by Mayor Miller and that the insurance company has denied the claim, which is forcing the City to hire outside council. He explained he cannot represent the city because defending the city against itself and to chance he might be called as a witness puts him in direct conflict. Based on that, he is recommending Sniffen and Spellman to defend the city. He presented a agreement with the outside council that he states is very straight forward. At 11:03 am Mr. McCahill stated to proceed with the voting process, he asked for Mayor Miller to recuse herself because she is in direct conflict and hand the gavel over to Mayor Pro Tem Wolff. Mayor Miller stated so be it. Mr. Wolff again called the meeting to order at 11:03 am.

II. Citizens Comments: Opened public comment at 11:04 am – Mayor Miller then asked why she was here, which Mr. McCahill explained again, she did not have to be at the meeting, but it was a public meeting. The mayor stated she had already called the meeting to order and had asked for public comment and there was none, so once she hands the meeting over to Mr. Wolff it should not start over again, they should move straight to the regular agenda. Mr. McCahill stated Mr. Wolff was now running the meeting and he asked for public comments. Julie Gardner asked the Mayor if she was recused could she still ask her a question, in which she replay she had no answers. Mrs. Gardner continued about the cost of attorney fees having to be paid by the city. She asked since the city is now liable for not only the City's attorney's fees as well as possibly Mayor Millers attorney's fees, was she ready to drop the lawsuit. Mayor Miller gathered her things and left the table at 11:05 am. Mrs. Gardner asked if there was a plan on where the money was going to come from to cover the lawsuit expenses and commented she was thankful that the council voted to keep the millage rate at 5.999 to help offset the lawsuit expenses. Closed public comment at 11:06 am

III. Regular Agenda:

1. *Hire attorney to defend the city – Mayor Miller lawsuit was brought to the table.* Mr. Welle motioned, and Mr. Smith seconded to engage with Sniffen & Spellman per the legal representation agreement and instruct the Mayor Pro Tem to sign the contract immediately. Motion passed unanimously.

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IV. Adjournment: Mr. Welle motioned, and Mr. Smith seconded to adjourn the meeting at 11:07 am.

By: _____

Mayor Pro Tem, Richard Wolff

Attest: _____

City Clerk, Tammy Brunson